

STATE OF NORTH CAROLINA
WAKE COUNTY



BEFORE THE
DISCIPLINARY HEARING
COMMISSION
NORTH CAROLINA STATE BAR
11 DHC 7

THE NORTH CAROLINA STATE BAR,

Plaintiff,

vs.

EDWARD V. ZOTIAN,

Defendant.

ANSWER

NOW COMES the defendant, answering the Complaint of the plaintiff, alleges and says:

1. The allegations contained in paragraph 1 of plaintiff's Complaint are admitted.
2. The allegations contained in paragraph 2 of plaintiff's Complaint are admitted.
3. The allegations contained in paragraph 3 of plaintiff's Complaint are admitted.
4. The allegations contained in paragraph 4 of plaintiff's Complaint are admitted.
5. The allegations contained in paragraph 5 of the plaintiff's Complaint are admitted.
6. The allegations contained in paragraph 6 of the plaintiff's Complaint are denied. During the course of the professional relationship with Boles, there were several different employee/employer arrangements.
7. The allegations contained in paragraph 7 of the plaintiff's Complaint are admitted.
8. The allegations contained in paragraph 8 of the plaintiff's Complaint are admitted.

9. The allegations contained in paragraph 9 of the plaintiff's Complaint are denied.
10. The allegations contained in paragraph 10 of the plaintiff's Complaint are denied.
11. The allegations contained in paragraph 11 of the plaintiff's complaint are denied.
12. The allegations contained in paragraph 12 of the plaintiff's Complaint are denied.
13. The allegations contained in paragraph 13 of the plaintiff's Complaint are denied.
14. The allegations contained in Paragraph 14 of the plaintiff's Complaint are denied.
15. The allegations contained in Paragraph 15 of the plaintiff's Complaint are denied.
16. The allegations contained in Paragraph 16 of the plaintiff's Complaint are denied.
17. The allegations contained in Paragraph 17 of the plaintiff's Complaint are admitted. The defendant further submits that Boles reviewed the documents which were drafted.
18. The allegations contained in Paragraph 18 of the plaintiff's Complaint are admitted.
19. The allegations contained in Paragraph 19 of the plaintiff's Complaint are denied.
20. The allegations contained in Paragraph 20 of the plaintiff's Complaint are admitted.
21. The allegations contained in Paragraph 21 of the plaintiff's Complaint are admitted.
22. The allegations contained in Paragraph 22 of the plaintiff's Complaint are admitted.
23. The allegations contained in Paragraph 23 of the plaintiff's Complaint are denied.

24. The allegations contained in Paragraph 24 of the plaintiff's Complaint are denied, to the extent that such activity would be construed as legal services.
25. The allegations contained in Paragraph 25 of the plaintiff's Complaint are denied.
26. The allegations contained in Paragraph 26 of the plaintiff's Complaint are admitted.
27. The allegations contained in Paragraph 27 of the plaintiff's Complaint are denied.
28. The allegations contained in Paragraph 28 of the plaintiff's Complaint are denied. It is admitted that Zotian sent off an invoice to Eckhoff.
29. The allegations contained in Paragraph 29 of the plaintiff's Complaint are denied.

WHEREFORE, having answered the like numbered paragraphs of the Complaint, the defendant hereby denies any remaining allegations in plaintiff's complaint which allege or contend that he knowingly and willfully violated Rule 5.5(a) and/or Rule 8.4(a)(b) and (c) of the Rules of Professional Conduct, pursuant to N.C.G.S. Sec. 84-28(a) and 27 N.C. Admin Code, Chapter 1, Subchapter B, §.0114. Defendant therefore requests that the Disciplinary Hearing Commission enter an Order after hearing evidence in this matter consistent with a finding that the defendant did not knowingly and intentionally commit a criminal act or a violation of the Rules as alleged in plaintiff's Complaint.

This the 28th day of April, 2011.

CRUMPLER FREEDMAN PARKER & WITT
Attorneys for the Defendant



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an attorney at law licensed to practice in the State of North Carolina, is attorney for the defendant and is a person of such age and discretion as to be competent to serve process.

That on the 28th day of April , 2011, he served a copy of the attached **ANSWER** by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and its contents in the United States Mail at Winston-Salem, North Carolina.

ADDRESSEE: Mr. A. Root Edmonson, Deputy Counsel
The North Carolina State Bar
PO Box 25908
Raleigh, NC 27611

CRUMPLER FREEDMAN PARKER & WITT
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